

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JONATHAN ROSE,	:	
	:	
	:	<b><u>ORDER DISMISSING</u></b>
Plaintiff,	:	<b><u>COMPLAINT FOR LACK OF</u></b>
-against-	:	<b><u>JURISDICTION</u></b>
	:	
MESABI METALLICS COMPANY LLC,	:	22 Civ. 5832 (AKH)
	:	
Defendant.	:	
	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

Plaintiff, a citizen of New York, sues Defendant Mesabi Metallics Company LLC, a Minnesota Limited Liability Company. *See* Complaint ¶¶ 13–14, ECF No. 1. The alleged jurisdictional basis is diversity of citizenship, pursuant to 28 U.S.C. § 1332(a)(1). *Id.* ¶ 8. Limited liability companies are deemed to be citizens of all the states in which their constituents are citizens. *See Handelsman v. Bedford Vill. Assocs. Ltd. P’ship*, 213 F.3d 48, 51 (2d Cir. 2000) (citing *Carden v. Arkoma Assocs.*, 494 U.S. 185 (1990)); *see also Americold Realty Trust v. Conagra Foods, Inc.*, 136 S. Ct. 1012, 1014 (2016) (“While humans and corporations can assert their own citizenship, other entities take the citizenship of their members.”). Plaintiff has failed to identify the members of the limited liability company and allege their citizenship.

The complaint is dismissed, with leave to replead an adequate basis of diverse citizenship no later than 30 days from this order.

SO ORDERED.

Dated: August 10, 2022  
New York, New York

/s/ Alvin K. Hellerstein  
ALVIN K. HELLERSTEIN  
United States District Judge